

**INFORMATION SHEET**  
**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS**  
**RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK**  
**COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Wyoming Regulatory Office CEN-WO-OD-RWY

**FILE NUMBER:** 200440311

**REGULATORY PROJECT MANAGER:** Michael Burgan **Date:** February 24, 2005

**PROJECT REVIEW/DETERMINATION COMPLETED:** **In the office** Y (Y/N) **Date:** February 24, 2005  
**At the project site**    (Y/N) **Date:**                     

**PROJECT LOCATION INFORMATION:**

**State:** Wyoming

**County:** Converse

**Center coordinates of site by latitude & longitudinal coordinates:**

Latitude 43 hours 28 minutes 1.91 seconds  
Longitude 105 hours 24 minutes 42.65 seconds

**Approximate size of site/property (including uplands & in acres):** 3.431  
**Name of waterway or watershed:** Antelope Creek

**SITE CONDITIONS:**

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	0.73								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
_____									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup> :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?				X	

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** Preliminary    Or    Approved X.

**ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):** Wetland begins at the base of a stock tank that is watered by a continuously flowing well. Hydrology is provided by water flowing from the well. Wetland is located approximately 150 feet from Antelope Creek and at a higher elevation than the creek.